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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Alain Damene
78640 Neauphle-le-chateau
France

In re Application of
GOUELIBO, et al.
U.S. Application No. 09/381,752
PCT No.: PCT/US97/05909
Int. Filing Date: 24 March 1998
Priority Date: 28 March 1997
For: SEMI-AUTOMATIC APPARATUS FOR
AFFIXING ANTI-THEFT DEVICE TO
AN ARTICLE

Dear Mr. Damene:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.497.

Leonard Smith
PCT Legal Examiner
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Anthony Smith
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In re Application of	:	
GOUELIBO, et al.	:	
U.S. Application No. 09/381,752	:	DECISION ON RENEWED
PCT No.: PCT/US98/05909	:	PETITION UNDER
Int. Filing Date: 24 March 1998	:	37 CFR 1.47
Priority Date: 28 March 1997	:	
For: SEMI-AUTOMATIC APPARATUS FOR	:	
AFFIXING ANTI-THEFT DEVICE TO	:	
AN ARTICLE	:	

This decision is in response to "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed via facsimile on 02 January 2002. In a decision dated 02 November 2001, the "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed 14 December 1999 was dismissed because applicant did not provide adequate proof that the missing inventor, Alain Dameme, refused to execute the application or could not be reached after diligent effort.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor. The 29 September 1999 decision indicated that petitioner has satisfied items (1), (3) and (4) above.

As to Item (2), a review of the present petition and the accompanying papers reveal that applicant has satisfied item (2), in that the applicant has shown that a bona fide attempt was made to present the application papers, including the specification, claims, and drawings to Alain Dameme and that Mr. Dameme has refused to execute the application.

Accordingly, it is appropriate to accord the national stage application status under 37 CFR 1.47(a).

CONCLUSION

The renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application will be given an international filing date of 24 March 1998 under 35 U.S.C. 363, and a date of **22 September 1999** under 35 U.S.C. 371(c).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.



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